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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,788	03/28/2001	Ayman G. Abdo	2207/10611	1020
23838	7590	06/06/2005	EXAMINER	
KENYON & KENYON 1 BROADWAY NEW YORK, NY 10004			MANOSKEY, JOSEPH D	
			ART UNIT	PAPER NUMBER
			2113	

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/818,788

Applicant(s)

ABDO ET AL.

Examiner

Joseph D. Manoskey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-10, 18-21, 23-32 and 36-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-10, 18-21, 23-28 and 38-42 is/are allowed.
- 6) ☒ Claim(s) 29-32 and 36 is/are rejected.
- 7) ☒ Claim(s) 37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The indicated allowability of claims 29-32 and 36 is withdrawn in view of the newly discovered reference(s) to Moertl et al. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 29-32 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Moertl et al., U.S. Patent 6,480,923, hereinafter referred to as "Moertl".

4. Referring to claim 29, Moertl teaches transactions on PCI bus that detected on a bus to be delayed, this is interpreted as a diagnostic method for an integrated circuit, comprising: detecting an onset of a first transaction on an external bus (See Col. 3, lines 4-9). Moertl also teaches repeating the original request, this is interpreted as reading an address of the first transaction from the external bus, and in response to the

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detected transaction, issuing a read request in a second transaction on the external bus, the read request directed to the same address as the first transaction (See Col. 3, lines 4-9).

5. Referring to claim 30, Moertl discloses repeating the original request again until the transaction completes, this is interpreted as wherein an onset of the second transaction occurs before the first transaction concludes (See Col. 3, lines 4-9).

6. Referring to claim 31, Moertl teaches repeating the original request again and again until the transaction completes, this is interpreted as further comprising issuing a plurality of read requests directed to addresses of subsequent transactions detected on the external bus (See Col. 3, lines 4-9).

7. Referring to claim 32, Moertl discloses that the master the initiates the request also repeats it, this is interpreted as wherein the first and second transactions are issued by the same integrated circuit (See Col. 4, lines 4-9).

8. Referring to claim 36, Moertl teaches a master initiating a type of request and in case of delay on the bus, repeating the original request, this is interpreted as a method of testing an integrated circuit, comprising: storing a request type in a register, observing a transaction on an external bus, and when the request type of the external

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bus transaction matches the request type stored in the register, generating a data request on the external bus (See Col. 4, lines 4-9).

Allowable Subject Matter

9. Claim 37 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 5-10, 18-21, 23-28, 38, and 39 are allowed as stated in previous Office action.

11. Newly added claims 40-42 are allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are closely related examples of devices repeating transactions across a bus.

U.S. Patent 4,858,234 to Hartwell et al.

U.S. Patent 6,662,256 to Foo


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D. Manoskey whose telephone number is (571) 272-3648. The examiner can normally be reached on Mon.-Fri. (7:30am to 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDM
June 1, 2005


ROBERT BEAUSOLIEL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100